



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
(Case No. 98,392)

Application of:

Jonathan Embleton et al.

U.S. Application No.: 09/091,958

U. S. Filing Date: June 7, 1999

For: Ophthalmic Treatment

Examiner: Z. Fay

Art Unit: 1614

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TECH CENTER 1600/20

Asst. Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:

- Supplemental Information Disclosure Statement (IDS);
- Supplemental PTO-1449 Form;
- Copy of One (1) Cited Reference;
- Postcard.

2. With respect to additional fees:

☒ A. Attached is a check in the amount of \$240.00.

B. Charge the total additional fee to our Deposit Account No. 13-2490

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 28th day of September, 1999.

By :

Steven J. Sarussi
Reg. No. 32,784

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,392)

PATENT

In the Application of:

Jonathan K. Embleton, et al.

Serial No. 09/091,958

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Before the
Examiner: Z. Fay

Art Unit: 1614

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This prior art statement is filed under 37 C.F.R. §§1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56. Also, enclosed is the requisite fee pursuant to 37 C.F.R. §§1.97(c) and 1.17(p), \$240.00.

In the judgment of the undersigned, the references listed on the attached Form PTO-1449 may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this statement or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §102.

McDonnell Boehnen Hulbert & Berghoff
300 S. Wacker Drive
Chicago, Illinois 60606
(312) 913-0001

10/04/1999 HIERHE 00000034 09091958
01 FC=126 240.00 DP

1. U.S. Patent 4,158,361, issued June 19, 1979.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted
McDONNELL BOEHNEN
HULBERT & BERGHOFF
300 South Wacker Drive
Chicago, Illinois 60606
(312) 913-0001

By: 

Steven J. Sarussi
Reg. No. 32,784

Dated: September 28, 1999

FORM PTO-1449
(Rev. 2-32)



U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

98,392

Serial No.

09/091,958

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Applicant: Jonathan K. Embleton, et al.

Filing Date:
June 7, 1999

Group:
1614

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	4,158,361	6/19/1979	Kotuby			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

EXAMINER			DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.